

RESOLUTION NO. 2012-81

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE
SURF CITY LIFEGUARD EMPLOYEES' ASSOCIATION (SCLEA), BY ADOPTING THE SIDE
LETTER OF AGREEMENT**

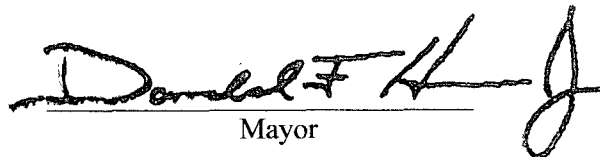
WHEREAS, on July 1, 2007, the City Council of Huntington Beach adopted Resolution No. 2007-40 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Surf City Lifeguard Employees' Association (SCLEA);

Subsequent to the adoption of the MOU, the City of Huntington Beach and SCLEA agreed to changes, corrections, and clarifications to the MOU that are reflected in a Side Letter of Agreement between the City of Huntington Beach and SCLEA ("Side Letter Agreement") attached hereto as **Exhibit A** and incorporated herein by this reference. The Side Letter Agreement pertains to extending the term of the MOU.

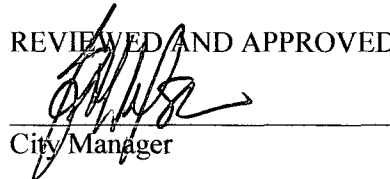
NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

- Section 1. The Side Letter Agreement attached hereto as **Exhibit A** is approved and adopted.
- Section 2. The Side Letter Agreement amends the MOU between the City of Huntington Beach and SCLEA.

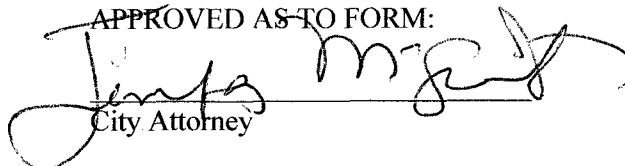
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 19th day of November, 2012.


Mayor

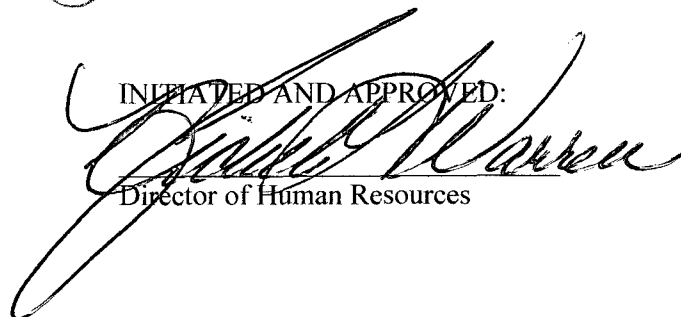
REVIEWED AND APPROVED:


City Manager

APPROVED AS TO FORM:


City Attorney

INITIATED AND APPROVED:


Director of Human Resources

City of Huntington Beach SIDE LETTER AGREEMENT

Representatives of the Surf City Lifeguard Employees' Association ("SCLEA") and the City of Huntington Beach ("City") hereby agree to the following terms related to the SCLEA MOU with respect to the following:

MOU EXTENSION

ARTICLE I – Term of MOU

The Memorandum of Understanding (MOU) effective 01/01/07–09/30/08 and extended through 09/30/12 by the adoption of Resolution 2012-60; shall be extended, without modification to any additional article or provision, until June 30, 2013 or until a successor agreement is reached, whichever occurs first.

Side-Letter Implementation

The parties agree that this side-letter agreement and the implementation thereof will not be subject to Personnel Rule 19 – Grievance Procedure/Non-Disciplinary Matters nor Article XIV-Miscellaneous (A) – Grievance Arbitration, or otherwise appealed either administratively or in a court of competent jurisdiction.

IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on NOVEMBER 19, 2012.

Huntington Beach
Surf City Lifeguards Employees' Association

City of Huntington Beach

Richard J. Silber,
SCLEA Representative

Dated: _____

COUNTERPART

Chris Hubbard
SCLEA President

Dated: _____

Jesse Rothman
SCLEA Representative

Dated: _____

Fred A. Wilson
City Manager

Dated: _____

Michele Warren
Director of Human Resources

Dated: 11/6/12

APPROVED AS TO FORM:

Jennifer M. McGrath
City Attorney

Dated: 11.13.12

City of Huntington Beach SIDE LETTER AGREEMENT

Representatives of the Surf City Lifeguard Employees' Association ("SCLEA") and the City of Huntington Beach ("City") hereby agree to the following terms related to the SCLEA MOU with respect to the following:

MOU EXTENSION

ARTICLE I – Term of MOU

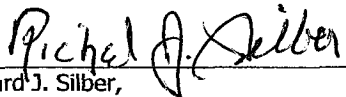
The Memorandum of Understanding (MOU) effective 01/01/07–09/30/08 and extended through 09/30/12 by the adoption of Resolution 2012-60; shall be extended, without modification to any additional article or provision, until June 30, 2013 or until a successor agreement is reached, whichever occurs first.

Side-Letter Implementation

The parties agree that this side-letter agreement and the implementation thereof will not be subject to Personnel Rule 19 – Grievance Procedure/Non-Disciplinary Matters nor Article XIV-Miscellaneous (A) – Grievance Arbitration, or otherwise appealed either administratively or in a court of competent jurisdiction.

IN WITNESS WHEREOF, the parties have caused this SIDE LETTER AGREEMENT to be executed by and through their authorized officers on NOVEMBER 19, 2012.

Huntington Beach
Surf City Lifeguards Employees' Association


Richard J. Silber,
SCLEA Representative

Dated: 11/07/12

COUNTERPART

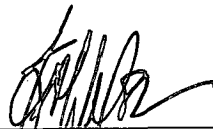
Chris Hubbard
SCLEA President

Dated: 

Jesse Rothman
SCLEA Representative

Dated: 11/15/12

City of Huntington Beach


Fred A. Wilson
City Manager

Dated: _____


Michele Warren
Director of Human Resources

Dated: 11/16/12

APPROVED AS TO FORM:

Jennifer M. McGrath
City Attorney

Dated: _____

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

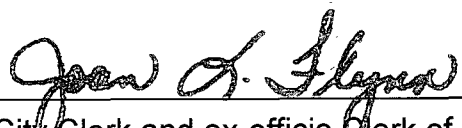
I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **Regular** meeting thereof held on **November 19, 2012** by the following vote:

AYES: Shaw, Harper, Dwyer, Hansen, Carchio, Bohr, Boardman

NOES: None

ABSENT: None

ABSTAIN: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California